

**DEPARTMENT OF EDUCATION - OFFICE OF FISCAL SERVICES
REQUEST and NOTICE OF EXEMPTION FROM PROCUREMENT**

PART I - REQUEST FOR EXEMPTION FROM PROCUREMENT

1. TO: DOE Chief Procurement Officer (send completed original form to OFS Procurement and Contracts Branch)

FROM: Waikoloa Elementary and Middle School
(Name of School or Program)

The school/program named above requests a procurement exemption as follows below.

2. This exemption is requested pursuant to:
☒ §103D-102(b)(4), HRS and Chapter 3-120, HAR or
☐ §103F-101(a)(4), HRS and Chapter 3-141, HAR

3. Island/District: ☐ Statewide or
☐ Oahu ☒ Hawaii ☐ Kauai ☐ Maui

4. Description of the proposed purchase (attach additional sheets if necessary):
Indicate one category: ☐ good ☐ service ☒ construction ☐ Health/Human service ☐ professional service
Brief description: Purchase, transport and install 3 - 24 X 60 portable trailers to the Waikoloa School site to use as classrooms for the 09-10 school year. Electric, stairs and ramps also installed.

5. Vendor Information
Name: Hawaii Modular Space

6. Term of Contract
From: ASAP
To: Oct. 1, 2009

7. Total Cost:
\$420,000

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State (attach additional sheets if necessary):
Waikoloa School needs facilities to house their expanding population. The emergency has arisen because we thought we would be able to transfer portable classrooms from Waimea Middle PCS under the procurement contract with Hawaii Modular. We misunderstood the arrangements that the DOE had with Hawaii Modular and found out that the contract had expired. We are now faced with housing an additional 74 to 100 students in our already overcrowded facility. We need approval to deal directly with Hawaii Modular to bring in portables as soon as possible for the coming 09-10 school year. The time it would take to go through the regular procurement/contract process would unfortunately take close to a year. In the end Hawaii Modular would get the contract anyway, as through all my research over the past year, they are the only group that has portable classrooms already built and on island. Our enrollment has grown by over 200 students over the past 4 years, with no additional classroom facilities. This fall, we are moving one class to the church next door, and we will be using 4 non-classroom spaces as temporary classrooms. This arrangement can't last a year.

9. Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable (attach additional sheets if necessary):
I have personally been researching portable trailers for over a year now and the only double wide trailers readily available are through Hawaii Modular Spaces. I even made extensive inquiries through companies in the mainland, but with shipping costs, etc. they even said it would not be feasible nor did they want the exhaustive work it would be to bring crews over, etc. The DOE has also recently bargained for multiple portables over the past years and Hawaii Modular was the vendor chosen so the department has also done a competitive analysis within the past 2 years. This request will be given a 7 day posting locally to see if there are any other vendors that may have been overlooked, and if they have the capability, time and equipment to be able to fulfill the specifications asked we will entertain all offers.

Notice and Request for Exemption from Procurement
Page 2 of 2

10. A description of the school/program internal controls and approval requirements for the exempted procurement (attach additional sheets if necessary):
Our school will diligently follow all established Financial Management System policies and procedures that will arise from this procurement. I will also have the support of the district business manager Scott Jeffrey, ASA Arnold Uehara, Melvin Goya and complex area superintendent Art Souza.

11. List of school/program personnel who will be involved in the approval process and administration of the contract (attach additional sheets if necessary):

<u>Name</u>	<u>Title</u>	<u>Involvement in process</u>
Kris Kosa-Correia	Principal	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Scott Jeffrey	District Business Mgr.	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Arnold Uehara	ASA	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Melvin Goya	ASA	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Art Souza	CAS	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

12. This exemption should be recommended to the Procurement Policy Board to be considered for the list of exemptions attached to Chapter 3-120 or 3-141, HAR: ☐ Yes ☒ No

13. I hereby certify that the information provided above is, to the best of my knowledge, true and correct, and that all applicable statutory, administrative, policy and procedures have or shall be complied with.

Kris Kosa-Correia, Principal 6-18-09
Administrator's Signature & Title Date

PART II: NOTICE OF EXEMPTION FROM PROCUREMENT

The school/program named below intends to exempt the goods, services, or construction (as described in the request below) from procurement for good cause. The Chief Procurement Officer is in the process of reviewing this request.

Inquiries and questions about this request may be directed to:

Name/Title: Kris Kosa-Correia, Principal
School/Program: Waikoloa Elementary & Middle School
Address: 68-1730 Ho'oko Street, Waikoloa HI
Telephone No.: 808-883-6808
email address: Kris_Kosa-Correia@notes.k12.hi.us

Written objections to this Notice of Exemption must be received within seven (7) calendar days from the date this notice was posted, and shall be directed to:

Chief Procurement Officer, Department of Education
Procurement & Contracts Branch, OFS
94-275 Mokuola Street Room 200
Waipahu, Hawaii 96797
Telephone Number: 808-675-0130
email address: DOEprocure@notes.k12.hi.us

Reserved for Procurement Office Use

14. Chief Procurement Officer's Comments:

15. ☐ Approved
☐ Disapproved
☐ No Action

Patricia Hamamoto, Superintendent & CPO

Date

c: Administrator, State Procurement Office